IN THE HIGH COURT OF JUDICATURE, ANDHRA PRADESH
AT HYDERABAD

(Special Original Jurisdiction)

TUESDAY, THE NINETEENTH DAY OF JULY
TWO THOUSAND AND FIVE

PRESENT

THE HON'BLE MR JUSTICE V.V.S.RAO

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WRIT PETITION NO : 12882 of 2000

Between:

1 Pasham Penturraj Yadav, S/o. Anjaiah.
R/o. 19-2-214, Lunger House,
Ranga Reddy District.
2 Pasham Venkat, S/o. Anjaiah.
R/o. 19-2-214, Lunger House,

Ranga Reddy District.

3 Pasham Anjaiah, S/o. Ramaiah.
R/o. 19-2-214, Lunger House,
Ranga Reddy District.
4 Mekala Satyanarayana, S/o.Mallaiah.
R/o. 19-2-214, Lunger House,
Ranga Reddy District.

..... PETITIONERS

AND

1 The State of A.P., Rep. by Inspector of Police,
Narsingi Police Station, Ranga Reddy District
2 B.Seetharamireddy,
Flat. No.222, Amruta Ville,
Somajiguda, Hyderabad.

.....RESPONDENTS

Petition under Article 226 of the constitution of India praying that in the circumstances stated in the Affidavit filed herein the High Court may be pleased to issue a Writ of Mandamus or any other appropriate writ order or direction and to set aside the FIR.No.62/2000 as against the petitioners herein, on the file of the 1st

respondent-police.

Counsel for the Petitioner:MR.V.VENKATARAMANA

Counsel for the Respondent No.1: GP FOR HOME

Counsel for the Respondent No.2:

The Court made the following :

THE HON'BLE SRI JUSTICE V.V.S.RAO

WRIT PETITION NO.12882 OF 2000

ORDER:

The petitioners are accused Nos.1, 2, 3 and 4 in Crime No.62 of 2000 of Police Station, Narsingi, registered under Section 420 of Indian Penal Code. In his complaint second respondent alleged that petitioners along with seven others approached him agreeing to purchase certain lands belonging to accused Nos.9, 10 and 11. An agreement was entered into and the same was registered after second respondent paying a sum of Rs.14.55 lakhs. Subsequently the accused did not register sale deed and therefore second respondent demanded refund of money. It was alleged that petitioners and others entered into agreement with second respondent though they did not have any title. Hence, the complaint was made. The petitioners however contend that they are in no way connected concerned with the transaction. They filed the Writ petition seeking a direction to set aside the crime.

This Court while admitting the Writ Petition observed that investigation shall go on.

In the counter affidavit filed by first respondent it is stated that after completing investigation, charge sheet was filed on the file of the Court of Judicial Magistrate of First Class, Chevella, Ranga Reddy District which was taken on file as C.C.No.334 of 2001 and the same is pending.

When the investigation is already completed and Calendar Case is pending, petitioners can raise all their defences and contentions before the Criminal Court. In this Writ Petition the crime cannot be quashed.

The Writ Petition is accordingly dismissed. No costs.

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(V.V.S.RAO, J)

19.7.2005

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To

1 The Inspector of Police,
Narsingi Police Station,

Ranga Reddy District.

2 2 CCs to G.P. for Home, High Court Bldgs., Hyderabad (OUT)

3 2 CD copies.